



#7

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: C. Speicher and J. Hirschman

Serial No.: 09/817,555

Filed: March 26, 2001

For: *Systems and Methods for Correcting Supply/Demand Imbalances in Multi-Tier Exchanges*

Attorney Docket No.: SMK-001.01

Group Art Unit: 2161

Examiner: To Be Assigned

Commissioner for Patents  
Washington, D.C. 20231

### STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING INVENTOR

Dear Sir:

To comply with the Notice to File Missing Parts, I attempted to contact James Hirschman to obtain his signature on a declaration for the above-identified application. On May 9, 2001, I sent a letter to Robert Marshall, Esq., attorney for Mr. Hirschman, in which I asked Mr. Marshall to either have Mr. Hirschman sign the declaration the present application or inform me whether Mr. Hirschman would be unwilling to sign the declaration. Mr. Marshall took no action to contact me.

On July 3, 2001, I called Mr. Marshall to learn whether Mr. Hirschman would sign the declaration. Mr. Marshall informed me that Mr. Hirschman refused to sign the declaration for the above-identified application.

#### CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on: December 7, 2001.

Mail Label No. EL 719 922 045 US

Terrill Williams

Respectfully submitted,

Foley Hoag

Customer No. 25181

William D. DeVaul

Reg. No. 42,483

Attorney for Applicants

Dated: December 7, 2001

12/07/2001 EXAMINER'S COPIED SIGNATURE

03 FD/122

2001-12



O I P E  
DEC 07 2001  
UNITED STATES PATENT AND TRADEMARK OFFICE

SMK-00101

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/817,555	03/26/2001	Charles Speicher	025181

025181  
FOLEY, HOAG & ELIOT, LLP  
PATENT GROUP  
ONE POST OFFICE SQUARE  
BOSTON, MA 02109

CONFIRMATION NO. 9356

## FORMALITIES LETTER



OC000000006045766

*Missing Parts*  
**DUE:** 7-7-01  
**FINAL:** 12-7-01  
*Correct Informalities*  
**DUE:** 7-7-01

Date Mailed: 05/07/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

A copy of this notice **MUST** be returned with the reply.

RECEIVED

BB 5/14  
MAY 14 2001PATENT DEPT.  
DOCKETING

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE